IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

FARMERS MUTUAL INSURANCE CO. OF NEBRASKA, as Subrogee for MICHAEL MCDONALD,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

4:17CV3148

MOTION AND STIPULATION FOR DISMISSAL WITH PREJUDICE

The Parties, by and through their respective Counsel, hereby move and stipulate that the above-captioned case be dismissed with prejudice, each party to bear their own costs, and complete record waived.

FARMERS MUTUAL INSURANCE CO. OF NEBRASKA, as Subrogee for MICHAEL MCDONALD, Plaintiff

By: s/Robert S. Lannin

ROBERT S. LANNIN, #17941 Baylor, Evnen, Curtiss, Grimit & Witt, LLP 1248 "O" Street, Sujite 600 Lincoln, NE 68508

Tel: (402) 475-1075

Email: rlannin@baylorevnen.com

UNITED STATES OF AMERICA, Defendant

JOSEPH P. KELLY United States Attorney District of Nebraska

By: s/Timothy R. Hook

TIMOTHY R. HOOK, #24529 Assistant U.S. Attorney 1620 Dodge Street, Suite 1400 Omaha, NE 68102-1506

Tel: (402) 661-3700 Fax: (402) 661-3081

Email: tim.hook@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all registered participants. I also hereby certify that a copy of the same was served by regular mail, postage prepaid, to the following non-CM/ECF participants: None.

s/ Timothy R. Hook
Assistant U.S. Attorney